BOROUGH OF DEAL

COUNTY OF MONMOUTH, STATE OF NEW JERSEY

ORDINANCE NO. 26-18

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF DEAL

TO ESTABLISH GRADING, DRAINAGE AND STORMWATER MANAGEMENT STANDARDS

BE IT ORDAINED by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, as follows:

Section 1. Grading, Drainage and Stormwater Management Standards.

The grading and drainage of all lots within the Borough shall be designed and accomplished so as to provide proper drainage; prevent adverse impacts to neighboring properties, public rights-of-way and existing drainage facilities; prevent the collection, concentration or ponding of stormwater; and, to the greatest extent practicable, minimize the destruction of existing vegetation and unnecessary alteration of existing topographic features. The following standards shall apply:

A. Soil Disturbance and Regrading. Whenever soil is disturbed or a lot is regraded, the proposed grading shall not create, increase, concentrate or redirect stormwater runoff onto any adjoining property, public right-of-way, or drainage facility except through a drainage system approved by the Municipal Engineer.

B. Retaining Walls. No new retaining wall associated with lot grading shall be constructed unless the wall and the associated grading are shown on a grading and drainage plan approved by the Municipal Engineer and the retaining wall is otherwise permitted by the Zoning Officer and all other applicable Borough ordinances.

C. Roof Runoff and On-Site Infiltration. Roof leaders shall not discharge at, through, or over the curb of any Borough street except with the prior written approval of the Municipal Engineer. Roof runoff from any new principal or accessory building, or from any addition creating five hundred (500) square feet or more of new roof area, shall be directed to an on-site stormwater infiltration system approved by the Municipal Engineer. Dry wells, seepage pits, or other approved infiltration facilities shall comply with the following minimum requirements:

(1) Storage Volume. The required storage volume shall be not less than the greater of forty (40) cubic feet or one cubic foot of storage for every twelve (12) square feet of tributary roof area.

(2) **Location and Separation.** The bottom of each dry well or seepage pit shall be a minimum of two (2) feet above the seasonal high groundwater elevation, and the facility shall have a minimum of six (6) inches of cover. Each facility shall be located at least ten (10) feet from any principal structure and at least five (5) feet from any property line. No infiltration facility shall be located beneath an impervious surface without the prior approval of the Municipal Engineer or, where applicable, the Planning Board Engineer.

(3) **Stone and Geotextile.** Each dry well or seepage pit shall be placed upon, and surrounded along its sides by, a minimum six-inch layer of clean stone wrapped with geotextile fabric or equivalent material designed to prevent migration of backfill material into the stone.

(4) **Emergency Overflow.** Each infiltration system shall include an emergency overflow designed and located to discharge to a stable lawn, landscaped area, or other location approved by the Municipal Engineer without causing erosion, nuisance ponding, flooding, or runoff onto an adjoining property.

D. Basements. The top elevation of any basement floor slab shall be a minimum of two (2) feet above the seasonal high groundwater elevation, as demonstrated by soil borings or other information acceptable to the Municipal Engineer.

E. Submission Requirements. Whenever approval of the Municipal Engineer is required pursuant to this section, the applicant shall submit a grading and drainage plan prepared, signed and sealed by a professional engineer licensed in the State of New Jersey. The plan shall contain sufficient information and detail to demonstrate compliance with this section and shall include, as applicable: existing and proposed spot elevations and/or contours; finished-floor and building-corner elevations; soil borings identifying the seasonal high groundwater elevation; the location and elevations of adjoining properties, structures, curbs, sidewalks and drainage facilities; the location, height and design of proposed retaining walls; the location, size and construction details of all dry wells, seepage pits, roof-leader connections, sump-pump discharges and overflow devices; and all engineering calculations supporting the proposed stormwater storage, infiltration and disposal system.

Section 2. Engineer Review and Compliance.

The Municipal Engineer may require such additional information, testing, calculations, details or revisions as are reasonably necessary to determine compliance with this ordinance. Approval of a grading and drainage plan shall not authorize any work otherwise requiring zoning, planning, construction, road-opening, soil-disturbance or other municipal approval or permit.

Inspection Prior to Temporary or Final Certificate of Occupancy. For any development, construction, addition, grading, drainage, or other work subject to the requirements of this ordinance, no Temporary Certificate of Occupancy ("TCO") or Final Certificate of Occupancy shall be issued until the Borough's Engineering Department has inspected the property and determined that the grading, drainage, stormwater management improvements, and other work subject to this ordinance have been completed in substantial compliance with the approved grading and drainage plan and the requirements of this ordinance.

Section 3. Severability.

If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 4. Repealer.

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Effective Date.

This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Introduced by Commissioner David Simhon October. 2, 2026

Seconded by Commissioner Jack A. Kassin

Roll Call:

Mayor Sam Cohen (Aye), Commissioner David Simhon (Aye), Commissioner Jack A. Kassin (Aye)

Motion to Adopt by Mayor Sam Cohen November 9, 2026

Seconded by Commissioner Jack A. Kassin

Roll Call:

Mayor Sam Cohen (Aye), Commissioner David Simhon (Aye), Commissioner Jack A. Kassin (Aye)

Carrie Sniffen, Acting Municipal Clerk